

07-08-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Application :
Serial **76-342,386** filed November 27, 2001 :
by Samick Music Corporation :
for the trademark :

"Samick"

LAWRENCE MUSIC, INC.

Opposer,

v.

SAMICK MUSIC CORPORATION

Applicant.

: OPPOSITION NO. 91,156,310
:
:
: EXPRESS MAIL NO.: EU937887331US
: Date: July 7, 2003

: I hereby certify that this paper
: paper or fee is being deposited
: with the United States Postal
: Service "Express Mail Post Office
: to Addressee" service under 37
: C.F.R. 1.10 on the date indicated
: above and is addressed to the
: Assistant Commissioner of
: Trademarks, 2900 Crystal Drive,
: Arlington, VA 22202-3514 by:

: Gregg R. Zegarelli, Esq.
: Attorney for Opposer

REPLY BRIEF TO APPLICANT'S OPPOSITION TO OPPOSER'S MOTION FOR SUSPENSION OF
PROCEEDINGS AND TO OPPOSER'S REQUEST FOR EXTENSION OF TIME TO OPPOSE FOR
EXTRAORDINARY CAUSE

Opposer, Lawrence Music, Inc., by and through its counsel, hereby
replies to Applicant's Opposition to Opposer's Motion to Suspend:

1. Applicant's entire argument side-steps the fundamental issue
before the Board: whether the substantive issues in this opposition proceeding
are being determined by a court of competent jurisdiction in a pending action?
If so, then this proceeding should be stayed. The Board certainly has no
interest in duplicating the Federal Government's judicial cost to determine
legal rights, nor should anyone have an interest in creating additional expense
to the parties or the witnesses.

2. The substantive issues in this opposition proceeding clearly
are being fully and fairly litigated in the Federal District Court for the

WHEREFORE, Opposer, Lawrence Music, requests that this proceeding be stayed pending the determination in the aforesaid Federal District Court action.

July 7, 2003

Respectfully submitted,

Gregg R. Zegarelli Esq.
Attorney for Opposer
Lawrence Music, Inc.

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2. 1. 1.

I hereby certify that the Reply Brief To Applicant's Opposition To Opposer's Motion For Suspension Of Proceedings And To Opposer's Request For Extension Of Time To Oppose For Extraordinary Cause, July 7, 2003, is being deposited with the United States Postal Service as U.S. Express Mail Number EU937887331US (under C.F.R. §1.8(a)), on this 7th day of July 2003, with sufficient postage and in an envelope addressed to:

Commissioner of Patents and Trademarks
Box 5, Attn: TTAB
2900 Crystal Drive
Arlington, VA 22202-3514, USA

And by depositing the same with the U.S. Mail, via regular mail, with sufficient postage, in an envelope addressed to:

Daniel M. Cislo, Esq.
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Santa Monica, CA 90401-1211

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TTAB

07-08-2003

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July 7, 2003

VIA EXPRESS MAIL

Airbill No. EU937887331US

Assistant Commissioner of Trademarks
Box 5, Attn: TTAB
2900 Crystal Drive
Arlington, VA 22202-3514

Re: "Samick"
Serial No.: 76/342286

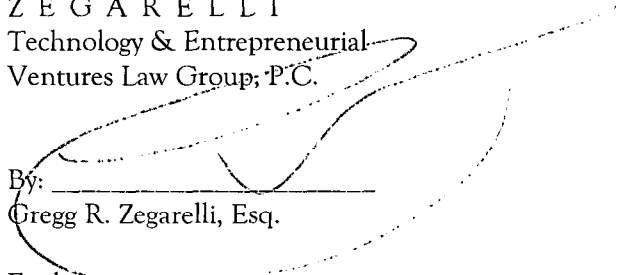
Dear Trademark Trial and Appeal Board:

Kindly find enclosed a **Reply Brief to Applicant's Opposition to Opposer's Motion for Suspension of Proceedings and to Opposer's Request for Extension of Time to Oppose for Extraordinary Cause.**

Thank you for your attention in this regard; please call me if you have any questions.

Very truly yours,

Z E G A R E L L I
Technology & Entrepreneurial
Ventures Law Group, P.C.

By: 
Gregg R. Zegarelli, Esq.

Enclosure

cc. Lawrence Music, Inc.
(with enclosure)